

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 852 - SB 910**

March 23, 2017

**SUMMARY OF BILL:** Requires an agency which oversees occupational licenses or permits to prove by clear and convincing evidence, that any denial or revocation of an occupational permit or license was done properly; provides that in cases where an occupational license or permit was not revoked or denied the burden of proof shall be by a preponderance of the evidence.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The standard of clear and convincing evidence is a more rigorous standard to meet than a preponderance of the evidence but a less rigorous standard than proving evidence beyond a reasonable doubt.
- Pursuant to Tenn. Code Ann. § 4-5-301, a procedure for hearing contested cases under the Uniform Administrative Procedures Act is established.
- The proposed language would establish a standard of evidence to be met in certain cases, but would not alter how such cases are conducted; as a result, there will be no significant increase in state government expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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